

U.S. Department of Labor

Office of Administrative Law Judges
800 K Street, NW, Suite 400-N
Washington, DC 20001-8002

(202) 693-7300
(202) 693-7365 (FAX)



Issue Date: 14 October 2004

In the Matter of

U.S. DEPARTMENT OF LABOR
Complainant

Case Number: 2004-SOC-00001

v.

LOCAL 2069, AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES, AFL-CIO
Respondent

DECISION AND ORDER OF DEFAULT JUDGMENT

This matter arises under Title VII of the Civil Service Reform Act of 1978, 5 U.S.C. §§ 7101, et. seq., (CSRA) and the Labor-Management Reporting and Disclosure Act, 29 U.S.C. §§ 401, et. seq., (LMRDA) and the Standards of Conduct Regulations (SOC) issued pursuant to the CSRA, promulgated at 29 C.F.R. Parts 457-459.

On May 11, 2004, the Department of Labor (DOL) filed a Complaint in this Office against Respondent alleging that Respondent violated the above-mentioned Act and regulations by not filing LM Reports for Fiscal Years 2001, 2002, and 2003. On June 7, 2004, this Office issued a Notice of Docketing which required Respondent to file an answer within 20 days of service of the Complaint pursuant to 29 C.F.R. § 458.68. On July 1, 2004, DOL filed a Motion for Default in this matter. DOL states that the Complaint was served on the Respondent by certified mail which was returned as unclaimed. On August 12, 2004, this Office issued an Order to Respondent to Show Cause why a default judgment should not be entered in this matter. This Order included a copy of the Complaint. To date, Respondent has failed to file a response to the Complaint or the Show Cause Order.

Accordingly, it is **ORDERED** that Respondent file LM Reports for Fiscal Years 2001, 2002, and 2003. Additionally, Respondent is permanently enjoined from further violating the provisions of 29 C.F.R. § 458.3. Respondent is liable for the costs of this action.

A
THOMAS M. BURKE
Associate Chief Judge

TMB/lmr